



# PLANNING DEPARTMENT

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February 11, 2005

Ms. Amanda Clarke  
1040 Broderick Street  
San Francisco, CA 94115

**Re: Request for Written Determination**  
**650-652 Hayes Street; Assessor's Block 0806; Lot 010**  
**Zoning: RH-3 (Three Family Dwelling) and 50-X Height-Bulk District**

Dear Ms. Clarke:

This is in response to your letter on December 6, 2004, requesting a written determination on the legality of your reconstructed rear stairs at 650-652 Hayes Street.

On November 28, 2000, a rear yard variance (Case No. 2000.921V) was granted to the previous owner to demolish an existing second floor sunroom, first floor deck and rear stairway, and replace them with a reconfigured exit stairway in the required rear yard. This variance had a sunset period of three years, if no building permit was issued to perform the work.

On September 24, 2001, building permit #2001/05/10/8816 was issued with Planning Department approval to demolish and rebuild the rear staircase, unfortunately, only the demolition of the rear staircase occurred. Not only was the work under the above said permit not completed, but the loss of the second means of egress put the occupants of the upper floor in danger. Thus, the Department of Building Inspection issued a Notice of Violation.

On June 11, 2004, building permit #2004/06/11/6190 was issued to renew the 2001 building permit and complete the work, however, the permit was issued without the Planning Department's approval. The rear stairs was completely reconstructed, but the district building inspector would not sign off on the job card until some form of Planning Department approval was granted for the reconstruction of the stairs.

After reviewing the variance docket and the approved permits for this property and understanding the timeline for renewals and expirations of permits, I have determined that the rear stairs was completed legally and no further approval is required by the Planning Department for the rear stairs at 650-652 Hayes Street.

Letter of Determination  
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If you have any questions about this determination, please contact Kenneth Chin at (415) 575-6897.

If anyone has substantial reason to believe that there was an error in interpretation of the provisions of the Planning Code, or abuse of discretion on the part of the Zoning Administrator, an appeal may be filed with the Board of Appeals (1660 Mission Street, Room 3036 telephone: 575-6880) within fifteen (15) days of the date of this letter.

Sincerely,

Lawrence B. Badiner  
Zoning Administrator